

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

Case No. CR05-391-RSM

v.

ROY COLUMBUS GOLD, III.,

Defendant.

**PROPOSED FINDINGS OF FACT
AND DETERMINATION AS TO
ALLEGED VIOLATIONS OF
SUPERVISED RELEASE**

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on September 19, 2012. The defendant appeared pursuant to a warrant issued in this case. The United States was represented by Sarah Vogel, and defendant was represented by Peter Camiel. Also present was U.S. Probation Officer Leona Nguyen. The proceedings were digitally recorded.

SENTENCE AND PRIOR ACTION

Defendant was sentenced on September 22, 2006, by the Honorable Ricardo S. Martinez for Conspiracy to Distribute Cocaine and Cocaine Base. He received 36 months detention and 5 years supervised release.

On February 28, 2012, a violation report and warrant request was submitted alleging Mr. Gold had violated the conditions of supervision by failing to report for drug testing as directed,

1 using cocaine, failure to attend substance abuse counseling as directed, and gambling and
2 entering gambling establishments. The Court authorized a warrant. On April 27, 2012, the Court
3 sentenced Mr. Gold to a custodial term of 45 days and 3 years of supervised release.
4 Additionally, the Court imposed a condition requiring Mr. Gold to reside in a Residential
5 Reentry Center for up to 120 days.

6 **PRESENTLY ALLEGED VIOLATIONS**

7 In a petition dated August 17, 2012, U.S. Probation Officer Andrew J. Lorenzen alleged that
8 defendant violated the following conditions of supervised release:

- 9 1. Failing to report change in residence as directed, on or about August 12, 2012, in
10 violation of standard condition number 6.
- 11 2. Failing to report to the probation officer as directed, on or about August 13, 2012,
12 in violation of standard condition number 2.

13 **FINDINGS FOLLOWING EVIDENTIARY HEARING**

14 Defendant admitted the above violations, waived any hearing as to whether they occurred,
15 and was informed the matter would be set for a disposition hearing October 5, 2012 at 10:00 a.m.
16 before District Judge Ricardo S. Martinez.

17 **RECOMMENDED FINDINGS AND CONCLUSIONS**

18 Based upon the foregoing, I recommend the court find that defendant has violated the
19 conditions of his supervised release as alleged above, and conduct a disposition hearing.

20 DATED this 19th day of September, 2012.

21 
22 DEAN BRETT
23 United States Magistrate Judge